UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ELLEN YAROSHEFSKY,)
Petitioner,) <u>STIPULATION OF</u> <u>VOLUNTARY DISMISSAL</u>
v.) <u>PURSUANT TO F.R.C.P.</u>) <u>41(a)(1)(A)(ii)</u>
GEN. JAMES N. MATTIS in his official capacity as SECRETARY OF DEFENSE, and) Case No. 1:17-cv-08718-GHW
COL. VANCE H. SPATH (AIR FORCE) in his official capacity as MILITARY JUDGE, MILITARY COMMISSIONS TRIAL JUDICIARY, DEPARTMENT OF DEFENSE,))))
Respondents.)

STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)

IT IS HEREBY STIPULATED AND AGREED by and between the parties and their respective counsel that the above-captioned action is hereby voluntarily dismissed pursuant to the Federal Rules of Civil Procedure 41(a)(1)(A)(ii), with the parties to bear their own costs and fees.

Dated: November 29, 2017

Harold K. Gordon JONES DAY 250 Vesey St.

New York, NY 10281 (212) 326-3939

hkgordon@jonesday.com Attorneys for Petitioner Dated: November 29, 2017

JOON H. KIM

Acting United States Attorney for the Southern District of New York

DAVID S. JONES

Assistant United States Attorney 86 Chambers Street, Third Floor

New York, NY 10007

(212) 637-2739

david.jones6@usdoj.gov Attorneys for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on November 29, 2017, I electronically filed the foregoing Stipulation of Voluntary Dismissal Pursuant to F.R.C.P. 41(a)(1)(A)(ii) using the Court's CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the Court's CM/ECF system.

Dated: November 29, 2017

/s/ Brittany S. Zimmer
Brittany S. Zimmer
JONES DAY
250 Vesey Street
New York, NY 10281
Attorneys for Petitioner